

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul A. Fair on June 30, 2010.

The application has been amended as follows:

Claim 1 has been amended as follows:

1. (Currently Amended) A homogeneous, thermoreversible gel comprising carrageenan wherein said carrageenan has a viscosity of 5 to less than 10 cP at 75 °C when measured using a Brookfield LVF viscometer, spindle #1, at 60 r.p.m., in a 0.10 molar aqueous sodium chloride solution containing 1.5% by weight of said carrageenan based on the weight of all components in said solution, and optionally at least one of a plasticizer, a second film former, a bulking agent, and a pH controlling agent, wherein said gel has a solids content of at least 40%, said carrageenan is present in an amount of from 0.5% to 15% by weight of the gel ~~at least 70% of all carrageenan present in said gel~~, and said carrageenan is at least one of iota carrageenan, kappa carrageenan or kappa-2 carrageenan; and wherein
(i) said carrageenan is at least 80% by weight kappa carrageenan based on the total weight of all carrageenan in the gel and the gel has a gelling temperature of 30 °C or less;
(ii) said carrageenan is at least 80% by weight kappa-2 carrageenan based on the total weight of all carrageenan in the gel and the gel has a gelling temperature of 35 °C or less; or
(iii) said carrageenan is at least 80% by weight iota carrageenan based on the total weight of all carrageenan in the gel and the gel has a gelling temperature of 35 °C or less.

Claims 3-5, 15, 16 and 46 are cancelled.

In Claims 27 and 28, the phrase "claims 1 and 3-26" has been changed to - -
Claims 1, 6-14 and 17-26 - -.

Reason For Allowance

The following is an examiner's statement of reasons for allowance: The prior art of record does not teach or fairly suggest a homogeneous, thermoreversible gel comprising a carrageenan having the combination of the claimed viscosity and gelling temperatures.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Examiner's Telephone Number, Fax Number, and Other Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Everett White whose telephone number is 571-272-0660. The examiner can normally be reached on 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shaojia A. Jiang can be reached on 571-272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Everett White/

Examiner, Art Unit 1623

/Shaojia Anna Jiang/

Supervisory Patent Examiner, Art Unit 1623